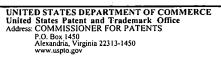


## UNITED STATES PATENT AND TRADEMARK OFFICE



APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,742	05/03/2001	Scott E. Boatman	PA-5259-RFB	8028
7590 12/02/2003			EXAMINER	
L.G. ALMEDA			WILLIAMS, CATHERINE SERKE	
BRINKS HOFER GILSON AND LIONE				
PO BOX 10395			ART UNIT	PAPER NUMBER
CHICAGO, IL 60610			3763	

DATE MAILED: 12/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
lacksquare		
Office Action Summary	09/848,742	BOATMAN ET AL.
Office Action Summary	Examiner	Art Unit
71. 114.11.11.0 0.1.75 . (4)	Catherine S. William	
The MAILING DATE of this community  Period for Reply	inication appears on the cover si	neet with the correspondence address
A SHORTENED STATUTORY PERIOD THE MAILING DATE OF THIS COMMUI  - Extensions of time may be available under the provisio after SIX (6) MONTHS from the mailing date of this cor  - If the period for reply specified above is less than thirty  - If NO period for reply is specified above, the maximum  - Failure to reply within the set or extended period for rep  - Any reply received by the Office later than three months earned patent term adjustment. See 37 CFR 1.704(b).  Status	NICATION.  ns of 37 CFR 1.136(a). In no event, however nmunication.  (30) days, a reply within the statutory minimu statutory period will apply and will expire SIX bly will, by statute, cause the application to be	, may a reply be timely filed om of thirty (30) days will be considered timely. (6) MONTHS from the mailing date of this communication. come ABANDONED (35 U.S.C. § 133).
1) Responsive to communication(s) f	iled on 10 September 2003.	
2a)☐ This action is FINAL.	2b)⊠ This action is non-final.	
, —	n for allowance except for form	al matters, prosecution as to the merits is 35 C.D. 11, 453 O.G. 213.
Disposition of Claims		
4) Claim(s) 1-38 is/are pending in the 4a) Of the above claim(s) is. 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) 1-38 are subject to restrict	/are withdrawn from considerati	
Application Papers	and and of oldston requirement	••
9) The specification is objected to by	the Examiner.	
10) The drawing(s) filed on is/ar		ted to by the Examiner.
Applicant may not request that any ob	jection to the drawing(s) be held in	abeyance. See 37 CFR 1.85(a).
	_	rawing(s) is objected to. See 37 CFR 1.121(d).
11) The oath or declaration is objected	to by the Examiner. Note the a	tached Office Action or form PTO-152.
Priority under 35 U.S.C. §§ 119 and 120		
application from the Internat  * See the attached detailed Office act	ty documents have been receive by documents have been receive s of the priority documents have tional Bureau (PCT Rule 17.2(a) tion for a list of the certified copi	ed. ed in Application No e been received in this National Stage  ). es not received.
13) △ Acknowledgment is made of a claim since a specific reference was included a 1.78.  a) ☐ The translation of the foreign I 14) ☐ Acknowledgment is made of a claim	ded in the first sentence of the s anguage provisional application	
		an Application Data Sheet. 37 CFR 1.78.
Attachment(s)		
Notice of References Cited (PTO-892)     Notice of Draftsperson's Patent Drawing Review     Information Disclosure Statement(s) (PTO-1449)	(PTO-948) 5) No	erview Summary (PTO-413) Paper No(s)  tice of Informal Patent Application (PTO-152)  her:
U.S. Patent and Trademark Office PTOL-326 (Rev. 11-03)	Office Action Summary	Part of Paper No. 13

Application/Control Number: 09/848,742 Page 2

Art Unit: 3763

## Election/Restrictions

This application contains claims directed to the following patentably distinct species of the claimed invention:

a) Figure 1-3,

e) Figure 7,

b) Figure 4,

f) Figure 8, and

c) Figure 5,

g) Figure 9.

d) Figure 6,

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claims 1,4,8 and 15 are considered generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the

Application/Control Number: 09/848,742

Art Unit: 3763

examiner finds one of the inventions unpatentable over the prior art, the evidence or admission

may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Applicant is advised that the reply to this requirement to be complete must include an

election of the invention to be examined even though the requirement be traversed (37 CFR

1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the

inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the

currently named inventors is no longer an inventor of at least one claim remaining in the

application. Any amendment of inventorship must be accompanied by a request under 37 CFR

1.48(b) and by the fee required under 37 CFR 1.17(i).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Catherine S. Williams whose telephone number is 703-308-4846.

The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Brian Casler can be reached on 703-308-3552. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9302.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-308-2192.

Catherine Serke Williams 95.

December 1, 2003

Page 3